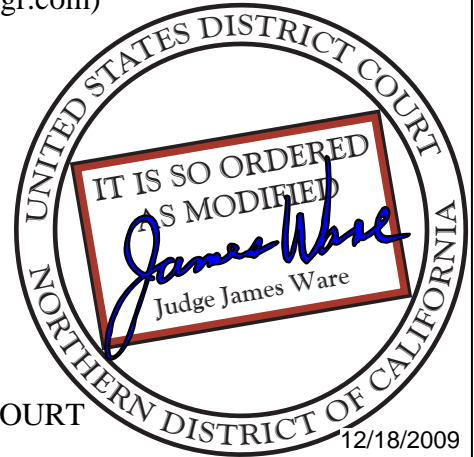


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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

IN RE UTSTARCOM, INC.  
SECURITIES LITIGATION

Master File No. C-04-4908-JW(PVT)

**STIPULATION AND [PROPOSED]  
ORDER STAYING CLASS  
CERTIFICATION BRIEFING**

This Document Relates to:

ALL ACTIONS.

1 WHEREAS, on October 23, 2009, plaintiffs filed their Motion for Class Certification;

2 WHEREAS, defendants have taken the depositions of the three parties whom plaintiffs  
3 have proffered to serve as class representatives, and have served a deposition subpoena on  
4 Gennadiy Sherman, previously a named plaintiff in plaintiffs' Fourth Amended Complaint, but  
5 plaintiffs dispute whether the deposition of Mr. Sherman should go forward;

6 WHEREAS, on November 17, 2009, this Court entered an Order that requires defendants  
7 to file their oppositions to plaintiffs' Motion for Class Certification on December 18, 2009;  
8 requires plaintiffs to file their reply in support of their Motion for Class Certification on January  
9 22, 2010; and sets the class certification hearing for February 22, 2010 at 9:00 a.m.;

10 WHEREAS, the parties have resumed their settlement negotiations in a good faith effort  
11 to resolve the action, are actively working with their mediator, the Honorable Edward A. Infante,  
12 to assist in those efforts, and anticipate the settlement negotiations to continue through the end of  
13 this year and at least into January 2010; and

14 WHEREAS, the parties have met and conferred and agreed, subject to the Court's  
15 approval, that it would be in the best interests of the parties to continue to discuss possible  
16 resolution prior to devoting substantial resources to continue class certification briefing,  
17 including expert submissions related to the motion;

18 NOW THEREFORE, pursuant to the parties' stipulation and subject to the Court's  
19 approval, the parties' briefing on plaintiffs' Motion for Class Certification is STAYED pending  
20 the outcome of the aforementioned settlement negotiations. The parties will submit an update to  
21 the Court no later than February 16, 2010 on the status of the settlement negotiations, or propose  
22 a schedule for the remaining briefing on plaintiffs' class certification motion.

23 IT IS SO STIPULATED.  
24  
25  
26  
27  
28

1 Dated: December 15, 2009

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15 Dated: December 15, 2009

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SOFTBANK CORPORATION

1 Dated: December 15, 2009

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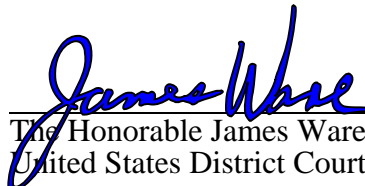
10 Lead Counsel for Plaintiffs

11  
12  
13 **ORDER**

14 PURSUANT TO THIS STIPULATION, AND GOOD CAUSE APPEARING, IT IS SO  
15 ORDERED that the briefing on plaintiffs' Motion for Class Certification is STAYED pending  
16 the parties' settlement negotiations. The parties will submit an update to the Court no later than  
17 **February 12, 2010** on the status of the settlement negotiations, or propose a schedule for the  
18 remaining briefing on plaintiffs' class certification motion.

19 The Court sets a further case management conference on **February 2010 at 10:00 AM.**

20  
21 Dated: December 18, 2009

  
The Honorable James Ware  
United States District Court Judge

1 I, Bryan J. Ketrosier, am the ECF User whose identification and password are being used  
2 to file the Stipulation and [Proposed] Order Staying Class Certification Briefing. I hereby attest  
3 that R. Jeremy Adamson and Shirley H. Huang have concurred in this filing.  
4

5 Dated: December 15, 2009

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7 By: /s/Bryan J. Ketrosier  
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